

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Houston Division

United States Courts  
Southern District of Texas  
FILED

NOV 13 2020

David J. Bradley, Clerk of Court

Chloe Baker

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Lone Star Legal Aid, Ernest Brown, Pamela Sotoodeh, Sonia Lopez, Courtney Paulding, Anna Martinez

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR EMPLOYMENT DISCRIMINATION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Chloe Baker
Street Address	6935 Hockley Garden Ln
City and County	Houston
State and Zip Code	Texas 77049
Telephone Number	713-775-3077
E-mail Address	ChloeMBaker2014@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

**Defendant No. 1**

Name	Lone Star Legal Aid
Job or Title ( <i>if known</i> )	Organization
Street Address	500 Jefferson St
City and County	Houston
State and Zip Code	Texas 77002
Telephone Number	713-653-0077
E-mail Address ( <i>if known</i> )	

**Defendant No. 2**

Name	Ernest Brown
Job or Title ( <i>if known</i> )	Deputy Director
Street Address	1415 Fannin 3rd Floor
City and County	Houston
State and Zip Code	Texas 77002
Telephone Number	713-653-0077 ext. 1207
E-mail Address ( <i>if known</i> )	ebrown@lonestarlegal.org

**Defendant No. 3**

Name	Pamela Sotoodeh
Job or Title ( <i>if known</i> )	Director of Administration
Street Address	1415 Fannin 3rd Floor
City and County	Houston
State and Zip Code	Texas 77002
Telephone Number	713-652-0077
E-mail Address ( <i>if known</i> )	PSotoodeh@lonestarlegal.org

**Defendant No. 4**

Name	Sonia Lopez
Job or Title ( <i>if known</i> )	
Street Address	2929 McKinney St
City and County	Houston Harris
State and Zip Code	Texas 77003

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Telephone Number	936-234-2872
E-mail Address (if known)	slopez@lonestarlegal.org

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	Lone Star Legal Aid
Street Address	2929 McKinney St.
City and County	Houston
State and Zip Code	77003
Telephone Number	713-652-0077

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to (check all that apply):

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*

- ☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

- ☐ Other federal law (specify the federal law):

- ☐ Relevant state law (specify, if known):

- ☐ Relevant city or county law (specify, if known):

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: \_\_\_\_\_

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)  
10/15/18, 11/1/18, 11/20/18, 12/27/2018, 1/3/19, 1/17/19, 1/22/19, 1/31/19, 1/2020

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C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race African American
- ☐ color \_\_\_\_\_
- ☐ gender/sex \_\_\_\_\_
- ☐ religion \_\_\_\_\_
- ☐ national origin \_\_\_\_\_
- ☐ age *(year of birth)* \_\_\_\_\_ *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*  
PTSD, Depression

E. The facts of my case are as follows. Attach additional pages if needed.

I am a African-American 60 % disabled military veteran with diagnosed PTSD.  
 Before my in-office complaint was filed, I was given a raise and my own office.  
 I was terminated on my last day of psychiatrically ordered bed rest.  
 I have filed multiple complaints within the organization and the EEOC for the adverse actions taken against me.

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*(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)*

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

2/20/2019 & 5/21/2020

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 8/21/2020 .

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)*

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Requesting the following types of damages:

Back pay (\$70,000)

Front pay (\$105,000)

Loss of benefits (\$35,000)

Punative and general damages for mental anguish, inconvenience, loss of employment, loss of enjoyment of life, diagnosed psychiatric conditions, reputational harm (\$400,000)

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## **VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### **A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/13/20

Signature of Plaintiff

Printed Name of Plaintiff Chloe Baker

### **B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

**B. (Continued)**

**Defendant No. 5**

Name	<u>Courtney Paulding</u>
Job or Title ( <i>if known</i> )	<u>Paralegal</u>
Street Address	<u>2929 McKinney St.</u>
City or County	<u>Houston</u>
State and Zip Code	<u>Texas 77003</u>
Telephone Number	<u>713-817-4177</u>
Email Address ( <i>if known</i> )	<u></u>

**Defendant No. 6**

Name	<u>Anna Martinez</u>
Job or Title ( <i>if known</i> )	<u>Intake Specialist</u>
Street Address	<u>2929 McKinney St.</u>
City or County	<u>Houston</u>
State and Zip Code	<u>Texas 77003</u>
Telephone Number	<u>713-652-0077</u>
Email Address ( <i>if known</i> )	<u></u>





### Complaint of Discrimination

I, Chloe Baker, allege that I was harassed by co-workers and subordinates, Anna Martinez, Courtney Paulding, and Betty Dannhei; which led me to file a formal complaint on December 27, 2018, as follows:

1. On October 15, 2018, in our data system of notes, Betty Dannhei, my fellow paralegal, falsely accused me of going against policy and referred to me as, "girl." Later on this same day, she saw me on the stair well and yelled to me, "run, girl. Run."
2. On November 1, 2018, Anna Martinez, Intake specialist, reported to Sonia Lopez, Directing Attorney, that I had taken an hour break. (Sonia Lopez's office was in Belton, Tx, Anna Martinez's office was located in downtown Houston, Tx, and my office was located in the Houston VA Medical center.) Sonia Lopez tried to take an hour of my PTO based off of this false allegation.
3. On November 20, 2018, Anna Martinez refused to properly handle a workflow assigned to her by me. She fabricated her reasonings for me having to come to the downtown Houston office and do it myself. (Houston VA office was a remote location that did not have all of the resources other offices were afforded.)
4. On December 27, 2018 a client came into the remote location VA (Chloe Baker's office) and told me they had called the LSLA hotline (Anna Martinez) to check on his pending case in recent days. Instead he was told by Anna Martinez to file a complaint on me, Chloe Baker. This was never client's intent, he just wanted an update. Once I heard this news, I filed a formal complaint with Sonia Lopez who immediately ran it up the chain to Ernest Brown, Deputy Director, and Pamela Sotoodeh, Director of Administration.

**The entire office closed for the holidays. Ernest Brown scheduled a meeting with me to discuss these complaints on January 17, 2019. Between the filing of the complaint and the meeting, the following incidents occurred in the office setting:**

5. On January 3, 2019, everyone's first day back in office, Anna Martinez told office co-workers that I, Chloe Baker, "kissed [Sonia Lopez's] butt," to get the remote office promotion at the Houston VA hospital.
6. On the same day, January 3, 2019, Courtney Paulding referred to me as "the helper," in Practice Manager data notes. I immediately reported this to our directing attorney and supervisor, Sonia Lopez due to it's racial connotation.
7. Lastly on January 3, 2019, Anna Martinez wrote a note in Practice Manager referring to me as, "the young black girl at the VA." Immediately reported this to our directing attorney and supervisor, Sonia Lopez via email and pointed out the pattern of disparate treatment.
8. On the day of January 4, 2019, I was denied travel voucher expenses due to Sonia Lopez not signing off. By this date, I had 3 months of travel vouchers owed to me.
9. On January 17, 2019, Ernest Brown met with me at 500 Fannin to discuss the complaint. I expressed to him the adverse working conditions at the remote location such as not having a printer, having to use my personal telephone to call clients and applicants, not having a copier, and not having weekly meetings with my staffing and directing attorneys like every other paralegal in the unit.

Ernest Brown told me that I was being sensitive and suggested that I move to a different unit in the organization.

10. On January 22, 2019, Jalanda Phillips, a paralegal from the Belton, Tx office, assigned me 41 of Anna Martinez's intake specialist tasks.

11. On this same day January 22, 2019, I went to seek help from my psychiatrist and was immediately put on bed rest for PTSD and depression flare ups caused by a hostile work environment until February 1, 2019.

12. On January 31, 2019 Pamela Sotoodeh sent a memo on behalf of Ernest Brown with an incorrectly dated response to my December 27, 2018 complaint showing he found no evidence of discrimination or wrong-doing.

13. Also on January 31, 2019, one day before I was scheduled to return from sick leave, Pamela Sotoodeh sent a termination of my temporary work agreement on behalf of Ernest Brown.

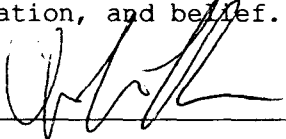
14. I continued to work at 2929 McKinney St. referring clients and applicants to LSLA. On January of 2020, I had an appointment with Courtney Porter, a staff attorney with Lone Star Legal Aid. Anna Martinez chased me down the hall and told me I did not belong in that part of the building.

I believe the actions taken against me were adverse and I was retaliated against for filing an in-office complaint.

#### DECLARATION

I, the undersigned, declare under penalty of perjury that the foregoing statements made in the above are true and correct to the best of my knowledge, information, and belief.

(sign)  
Name

  
\_\_\_\_\_

11/13/2020  
Date

(3)

Practice Manager Desktop - Citrix online plug-in  
Practice Manager - [Suite: Williams, Marcellus L. - DUNDKINGE]

File Edit Tools View Window Help

Matters Enroll Documents Templates Notes Graphics Workflow New  
Note | Related to Matters | Related to Entities | Related Annotations | Related to Issues

Description Williams, Marcellus L. - (Make Note)

Type INTAKE

Index

Author BDANNHEIM

Domain, Betsy

Date 12

Flag note as Locked Private

10/11/2018 3:44:01 PM by BDANNHEIM for Williams, Marcellus L. Seen at MacGregor Park outreach 10/5/18 INCOMPLETE APPLICATION

Unsure what the A's issues are Consumer and Miscellaneous were both checked on prelim application, called A and L/M for him and he has not called me back today, prepd 10 day letter, scanned & dropped prelim app in PM, WF to BD to file on 10 day letter

10/15/2018 1:15:28 PM (BDANNHEIM) rec'd message from A, called him back and L/M.

10/15/2018 4:16:59 PM (BDANNHEIM) finished with application.

A is trying to collect a debt from brother for a computer that he bought and financed for him through Barclays Bank in Delaware for \$3600.00 with the stipulation that he would pay him back and also give him his old computer. In 2017 A went to Vantage Acceptance, a debt negotiator, and got this reduced to \$950.00. A's brother Tyrone has not paid anything on this and told him he isn't going to pay nor is he going to give him the computer. No written agreement, this was a handshake deal with his brother. A said he was told be a girl at the outreach that we would do an inability to pay for him since that was all he wanted. ...not really sure but will get with CB2 tomorrow. Gave A fax# to send vet doc.

10/16/2018 08:21 AM (CBAKER2) Received VA letter via vet help box. Spoke with BD about previous note. Since there were 3 women at the outreach, not sure who could've told him this legal information. Doubt A was told by me that I would do something for him legally considering we can't do as little as give advice without completed eligibility information. Upload to PM, update matter aux tab.



EEOC Form 161 (11/16)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Chloe M. Baker**  
**6935 Hockley Garden**  
**Houston, TX 77049**

From: **Houston District Office**  
**Mickey Leland Building**  
**1919 Smith Street, 7th Floor**  
**Houston, TX 77002**



On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**460-2020-03799**

**Jesus M. Santiago,**  
**Investigator**

**(346) 327-7709**

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

*Roy Wilkerson for*

**Rayford O. Irvin,**  
**District Director**

8-19-20

(Date Mailed)

Enclosures(s)

cc:

**Pamela Sotoodeh**  
**Director of Administration**  
**LONE STAR LEGAL AID**  
**2929 McKinney St**  
**Houston, TX 77003**

Enclosure with EEOC  
Form 161 (11/16)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

**IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.**